IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

Crl.Rev.Pet.No. 1750 of 2007()

CRA.124/2006 of ADDL. SESSIONS COURT, ALAPPUZHA
CC.348/2003 of JUDL.MAGISTRATE OF FIRST CLASS-I, CHERTHALA

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REVN. PETITIONER: APPELLANT/ACCUSED

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1. ST.MARY'S OIL INDUSTRIES,
   INDUSTRIAL ESTATE, AROOR,
   REPRESENTED BY ITS MANAGING PARTNER.

2. JOSEPH VARGHESE @ JOSEY, PATTARA VEEDU,
   S.N.PURAM P.O., CHERTHALA.

BY ADV. SRI.K.G.UNNIKRISHNAN NAIR

RESPONDENTS: RESPONDENT/COMPLAINANT

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1. K.N.SYED MUHAMMED, KALLARACKAL VEEDU,
   CHERTHALA- REPRESENTED BY HIS POWER OF ATTORNEY
   HOLDER R.PAVITHRAN, S/O.RAMAKRISHNAN,
   ELANGATTUVELI, C.W.C.27, CHERTHALA.

2. STATE OF KERALA,
   REP.BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.K.S.SIVAKUMAR
SMT.T.K.SREEKALA

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 09/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Crl. R.P. No. 1750 OF 2007 C

Dated this the 9th day of August, 2007

O R D E R

The revision petitioners, who were the accused in C.C.No.348/2003 on the file of the JFCM-I, Cherthala for an offence punishable under section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against them concurrently by the trial court for the said offence.

2. Pending this revision, the parties have settled the matter and have filed Crl.M.A.No.8549/2007 under section 147 of the Act for recording the composition entered into by them. The said petition has been signed by both the revision petitioners as well as the complainant and their respective counsels. The composition is recorded and it will have the effect of an acquittal within the meaning of section 320(8) Cr.P.C. Money, if any, paid by the revision petitioners pursuant to orders, if any, passed by the lower appellate court shall be refunded to the revision petitioners. The sum of Rs.40,000/- (Rupees forty thousand only) deposited pursuant to orders passed by the lower appellate court shall be withdrawn by the 1st respondent complainant.

This revision petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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